



California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by Thomson West.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303 and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest code of the following:

CENTER FOR WATER EDUCATION

A written comment period has been established commencing on **July 6, 2007** and closing on **August 20, 2007**. Written comments should be directed to the Fair Political Practices Commission, Attention Tara Stock, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code will be submitted to the Commission's Executive Director for his review; unless any interested person or his or her duly authorized requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code, proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code. Any written comments must be received no later than **August 20, 2007**. If a

public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code should be made to Tara Stock, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Tara Stock, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

CONFLICT OF INTEREST CODES

AMENDMENT

MULTI-COUNTY: Access Services, Inc.
California Public Entity
Insurance Authority
Mother Lode Job Training
Agency

A written comment period has been established commencing on **July 6, 2007**, and closing on **August 20, 2007**. Written comments should be directed to the Fair Political Practices Commission, Attention **Ashley Clarke**, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **August 20, 2007**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to **Ashley Clarke**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to **Ashley Clarke**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the amended conflict of interest codes of the following agencies:

CONFLICT OF INTEREST CODE

AMENDMENT

STATE AGENCIES: Department of Water Resources

A written comment period has been established commencing on **July 6, 2007**, and closing on **August 20, 2007**. Written comments should be directed to Adrienne Korchmaros, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed amendment to the conflict of interest code will be submitted to the Commission's Executive Director for review, unless any interested person, or his or her duly authorized representative, requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed amendment will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced amendment to the conflict of interest code, proposed pursuant to Government Code section 87300, which designates, pursuant to Government Code section 87302, employees who must disclose certain investments, interests in real property, and income.

The Executive Director or the Commission, upon his or her own motion or at the interest of any interested person, will approve, or revise and approve, or return the amendment to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments, or comments, in writing to the Executive Director of the Commission, relative to review of the proposed amendment to the conflict of interest code. Any written comments must be received no later than **August 20, 2007**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result

from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses, or small businesses.

AUTHORITY

Government Code sections 82011, 87303, and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest code shall approve codes as submitted, revise the proposed code, and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Adrienne Korchmaros, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 4. CALIFORNIA GAMBLING CONTROL COMMISSION

NOTICE OF PROPOSED RULEMAKING

"Two Year Licensing of Gambling Establishments and Key Employees"

The California Gambling Control Commission (Commission) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Commission proposes to amend Chapters 6 and 7 to establish a two-year term for gambling licenses and

key employee licenses and to align the annual payment of table fees with the annual submission of financial statements. In the process of establishing a two-year license term, this proposed action would also consolidate many current license application forms and amend other forms for clarity purposes.

PUBLIC HEARING

The Commission will hold a public hearing starting at 10:30 A.M. on Thursday, August 23, 2007, at 2399 Gateway Oaks Drive, Suite 100, Sacramento, CA 95833-4231. The hearing room is wheelchair accessible. Please call Linda Gonsalves, at (916) 263-0493 or TDD 1-800-345-4275, to request any special accommodations for persons with disabilities. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Information Digest.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relative to the proposed regulatory action to the Commission at any time during the 45-day public comment period. To be considered for a summary and response, all written comments must be received no later than 5:00 p.m., Thursday, August 23, 2007 (the day of the public hearing).

Written comments for the Commission's consideration should be directed to:

Herb Bolz, Senior Legal Counsel and Regulations Coordinator
California Gambling Control Commission
2399 Gateway Oaks Drive, Suite 100, Sacramento
CA 95833-4231
Telephone: (916) 263-0490
Fax: (916) 263-0452
E-mail: Hbolz@cgcc.ca.gov

AUTHORITY AND REFERENCE

Authority for the proposed regulations is provided by various provisions of the Gambling Control Act (Act), which may be found in Business and Professions Code sections 19800 through 19987. In particular, Business and Professions Code sections 19811(b), 19823, 19824, 19825, 19826, 19827, 19840, 19841, 19850, 19851, 19852, 19853, 19854, 19856, 19857, 19858(a), 19859, 19864, 19865, 19866, 19876(a), 19912, 19930(b), 19941, 19950(b) and 19951 provide authority to enact these regulations.

The reference citations are as follows: the proposed regulations implement, interpret, or make specific

Business and Professions Code sections 19800, 19805, 19811, 19824(b), 19826, 19827, 19841, 19850, 19851, 19854, 19856, 19857, 19858(a), 19859, 19876(a), 19880(d), 19890(e), 19920, 19941 and 19951.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

The Act requires gambling licenses and key employee licenses to be renewed either annually, or for a longer period that the Commission may set, not to exceed two years.¹ These regulations replace the current annual license renewal period with a two-year (biennial) renewal period.

To renew a license, 120 days prior to expiration, licensees must complete and submit to the Commission an "Application for State Gambling License, CGCC-030 (Rev. 01-05)" or an "Application for Key Employee License, CGCC-031 Rev. 01-05", whichever is applicable, complete a "Renewal Supplemental Information for State Gambling/Key Employee License and Instructions to Renewal Applicants, DGC-APP. 017A (Rev. 12-04)", and submit the applicable renewal fee.² These forms can be burdensome to complete, as they require considerable background information about the applicant. Further, each gambling establishment is required to submit all of their key employee license renewal applications, along with their own gambling license renewal application, all in a single package.³ This requires the owner of the gambling establishment to coordinate the process with all of their key employees.

When received at the Commission, each renewal package must be reviewed for completeness. In the event that the renewal package is found to be incomplete, the licensee must be advised to submit the additional information or required fees.

Once the Commission is satisfied that the renewal application is complete, the package is forwarded to the Division for analysis and possible investigation.⁴ Should the Division determine that further investigation is necessary regarding the background of one or more of the applicants in the package, the applicant may be required to submit additional fees to defer the cost of the investigation.⁵ When their investigation is com-

¹ Business and Professions Code, subdivision (a), of section 19876

² California Code of Regulations, Title 4, subsection (a), of section 12344

³ California Code of Regulations, Title 4, subsection (c), of section 12344

⁴ California Code of Regulations, Title 4, paragraph (3), of subsection (a), of section 12345

⁵ California Code of Regulations, Title 4, subsection (d), of section 12344

pleted, the Division submits its recommendation concerning the renewal application to the Commission.⁶

The Commission will then consider the renewal application for approval or disapproval at a regularly scheduled public meeting.

Changing the license renewal period from one to two years will lessen the burden on licensees, will provide the Commission with the additional time needed to process license applications, and will provide the Division with critically needed additional time to perform the required background investigations of license applicants. This process can take up to 120 days (four months) to complete. These regulations will reduce the frequency of the entire license renewal process by 50%.

The Act requires the Commission to assure that licenses are not issued to, or held by unqualified persons, or by persons whose operations are conducted in a manner that is inimical to the public health, safety, or welfare. Further, the Act requires the Commission to assure that there is no material involvement with a gambling operation by unqualified persons, or by persons whose operations are conducted in a manner that is inimical to the public health, safety, or welfare.⁷ In response to these responsibilities, the Commission and the Division have, by regulation, established various forms that request information from applicants that assists the Division in an investigation of the applicant's background and associations.⁸ These regulations will consolidate many of these forms into one form, thus simplifying the application and renewal process for the applicant.

These proposed regulations include a complete rewrite of Commission forms: "Application for State Gambling License, CGCC-030 (Rev. 06/07)" and "Application for Key Employee License, CGCC-031 (Rev. 06/07)". The revisions to these forms include information that has in the past been requested on many other Division forms. As a result, these proposed regulations would abolish the following forms that will no longer be necessary:

- Renewal Supplemental Information for State Gambling/Key Employee License and Instructions to Renewal Applicants, DGC-APP. 017A (Rev. 12-04)
- Report of Annual Gross Revenues, DGC-APP. 018 (Rev. 09-03)
- Declaration of Compliance With The Requirement for Public Notice of Application for a Gambling License, DGC-LIC. 100 (Rev. 07-03)

- Instructions for Public Notice of an Application for a Gambling Establishment License, DGC-LIC. 102 (Rev. 07-03)
- Public Notice of An Application for a Gambling Establishment License, DGC-LIC. 102A (Rev. 7-03)
- Employee Work Permit Certification, DGC-APP. 019 (Rev. 09-03)
- Instructions to Applicants, DGC-APP. 007 (Rev. 12-04)

In addition to assuming the roles of many other Division forms, Commission forms CGCC-030 and CGCC-031 have been amended for clarity purposes. For example, the first page of the form has been changed to include an improved explanation as to the requirements for licensure of the various persons who may have an interest in a gambling operation, or for those who are considered key employees of a gambling operation. Further, these revised forms provide an improved explanation of the various Division forms that will be required as part of a license application package.

In the process of consolidating the above noted forms into one license application form, the Division found that many other forms relating to gambling license applications and key employee license applications could be refined, clarified or simplified to produce a better understanding from the applicant. As a result, these proposed regulations would amend the following Division forms:

- Cardroom Applicant Supplemental Information for State Gambling License, DGC-APP. 015A (Rev. 09-04)
- Cardroom Applicant- Business Supplemental Information for State Gambling License, DGC-APP. 015B (New 09-04)
- Gambling Establishment Supplemental Information for State Gambling License, DGC-APP. 015C (New 09-04)
- Cardroom Key Employee Supplemental Information for State Gambling License, DGC-APP. 016A (Rev. 09-04)
- Authorization to Release Information, DGC-APP. 006 (Rev. 09-04)

Current regulations require that an applicant for a State Gambling License submit to the Division a completed Internal Revenue Service (IRS) form entitled "Tax Information Authorization (IRS 8821, Rev. April 2004).⁹ This form authorizes the Division to obtain copies of federal tax returns that have been submitted to the IRS by the license applicant. The information is utilized by the Division to verify the applicant's income.

⁶ California Code of Regulations, Title 4, paragraph (4), of subsection (a), of section 12345

⁷ Business and Professions Code, paragraphs (1) and (2), of subdivision (a), of section 19823.

⁸ California Code of Regulations, Title 4, subsection (a), of section 12342

⁹ California Code of Regulations, Title 4, paragraph (28), of subsection (a), of section 12342, and paragraph (1), of subsection (a), of section 12343

When the Division receives this authorization form, another IRS form, (Request for Transcript of Tax Return, IRS 4506–T, Rev. April 2006), must be completed to request a transcript of the applicant’s tax return(s). IRS form 4506T already has a section printed on it where the applicant can request that a copy of their transcript(s) be sent to a third party, in this case the Division. To make the process simpler and quicker for both the applicant and the Division, these regulations will change the required form from the IRS 8821 to the IRS 4506–T. This will help to speed-up the process by going directly to the form that causes the tax return transcript(s) to be sent to the Division.

These proposed regulations would also add a new Division form that will request supplemental background information about those gambling license applicants that are part of a trust. This new form is entitled, “Trust Supplemental Background Investigation Information, DGC–APP. 143 (New 06/07)”. It requests information that may be unique to a trust, such as the identity of the trustee, trustor, beneficiary and trust authority.

The Act requires the holder of a gambling license to pay an annual fee that is set by a schedule based on the number of tables in use, or by their gross revenues, whichever fee amount is greater.¹⁰ These regulations will base the annual fee on the tables or gross revenues for the calendar year immediately preceding the date on which the fee is due. The fee will be due on April 30th of each calendar year. For example, the amount of the fee due on April 30, 2009 would be based on the number of tables or gross revenues for calendar year 2008. These annual fees will be on the same schedule as that specified for the annual submission of financial statements.¹¹ This means that the annual fee and financial statements would both be due on April 30 of each year. As a result, these changes will help to lessen the burden upon the holder of a gambling license, by placing two annual processes onto the same schedule.

Current regulations allow the owner licensee of a gambling establishment to apply to operate more tables than is regularly authorized, on both a temporary or permanent basis.¹² As part of these regulations, the applicant is required to submit an application fee to the Commission, and a review deposit to the Division.¹³ Both of these fees are deposited into the same state fund (The

Gambling Control Fund), and are available to both the Commission and the Division, upon appropriation by the Legislature.¹⁴ As a result, these regulations will simplify the process by having the applicant submit both fees directly to the Commission, along with their application form and additional table fees.

Current regulations require a licensee to develop an emergency preparedness and evacuation plan.¹⁵ Current regulations also require that a licensee submit a copy of its plan as part of the annual license renewal application.¹⁶ These proposed regulations would delete the word “annual”, so that the submission of a licensee’s plan can conform to a biennial license renewal process, as proposed by this action. These proposed regulations would also delete obsolete effective date language for the submission of a licensee’s emergency preparedness and evacuation plan. These proposed regulations would also eliminate the need for the licensee to forward two copies of its plan to the Commission, and instead require that only one copy be submitted.

Finally, for purposes of clarity, these regulations will add a definitions section to Chapter 6 of Title 4, divide the chapter into three (3) articles, and make other minor conforming changes.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts:

These regulations do not impose a mandate on local agencies or school districts.

Cost or savings to any state agency: None

Cost to any local agency or school district that must be reimbursed in accordance with Government Code section 17561: None

Other non–discretionary cost or savings imposed upon local agencies: None

Cost or savings in federal funding to the state: None

Cost impact on representative private person or business: The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Impact on Business: The Commission has made a determination that the proposed regulatory changes will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

¹⁰ Business and Professions Code, subparagraph (B), of paragraph (2), of subdivision (b), and subdivisions (c) and (d) of section 19951

¹¹ See amended text for California Code of Regulations, Title 4, paragraph 4, of subsection (b), of section 12400 and subsection (b), of section 12403

¹² California Code of Regulations, Title 4, subsection (a), of section 12358, and subsection (a), of section 12359

¹³ California Code of Regulations, Title 4, paragraph (2), of subsection (a), of section 12358, and paragraph (2), of subsection (a), of section 12359

¹⁴ Business and Professions Code, subdivision (b), of section 19950

¹⁵ California Code of Regulations, Title 4, subsections (b) and (c), of section 12370

¹⁶ California Code of Regulations, Title 4, subsection (d), of section 12370

Significant effect on housing costs: The Commission has made an initial determination that the proposed regulatory action would not affect housing costs.

Effect on small business: The Commission has made an initial determination that the proposed regulatory action would affect small businesses. The action would benefit small business by extending the term of a gambling license from one to two years, reducing the burden of license renewal by 50%.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Commission must determine that no reasonable alternative considered by the Commission or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

ASSESSMENT REGARDING CREATION OR ELIMINATION OF JOBS IN CALIFORNIA

The Commission has made an assessment and determined that the adoption of the proposed regulation will neither create nor eliminate jobs in the State of California, nor result in the creation of businesses or the elimination or expansion of existing businesses in the State of California.

CONTACT PERSONS

Inquiries concerning the substance of the proposed action should be directed to the following primary contact person:

Herb Bolz, Senior Legal Counsel and Regulations Coordinator
California Gambling Control Commission
2399 Gateway Oaks Drive, Suite 100,
Sacramento CA 95833-4231
Telephone: (916) 263-0490
Fax: (916) 263-0452
E-mail: Hbolz@cgcc.ca.gov

Requests for a copy of the proposed text of the regulation, Initial Statement of Reasons, the modified text of the regulation, if any, should be directed to the following backup contact person:

Gina Luna, Office Technician
California Gambling Control Commission
2399 Gateway Oaks Drive, Suite 100,
Sacramento CA 95833-4231

Telephone: (916) 263-4600
Fax: (916) 263-0499
E-mail: Gluna@cgcc.ca.gov

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Commission will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at the office address noted above. As of the date that this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the Initial Statement of Reasons. A copy of these documents may be obtained by contacting Herb Bolz at the address or telephone number listed above or by accessing the Commission's website at <http://www.cgcc.ca.gov>. Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the Regulations Coordinator or viewed on the website.

AVAILABILITY OF MODIFIED OR CHANGED TEXT

Following the public comment period and hearing, the Commission may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly indicated, will be made available to the public for at least 15 days prior to the date on which the Commission adopts the regulation. Requests for copies of any modified regulation should be sent to the attention of Herb Bolz at the address indicated above.

The Commission will accept written comments on the modified regulation for 15 days after the date on which it is made available.

TITLE 13. DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

NOTICE OF PROPOSED REGULATORY ACTION

TITLE 13, CALIFORNIA CODE OF REGULATIONS (13 CCR), DIVISION 2, CHAPTER 6.5, AMEND ARTICLE 1, SECTIONS 1202.1 AND 1202.2, AND ARTICLE 6, SECTION 1232.

MOTOR CARRIER SAFETY REGULATIONS — CONSISTENCY WITH TITLE 49, CODE OF FEDERAL REGULATIONS (CHP-R-06-10)

The California Highway Patrol proposes to amend the Motor Carrier Safety Regulations contained in Title

13, California Code of Regulations (13 CCR) to be consistent with the current version of adopted federal regulations in Title 49, Code of Federal Regulations (CFR).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

13 CCR, Division 2, Chapter 6.5 contains the California Highway Patrol's Motor Carrier Safety Regulations. Article 1, Sections 1200 through 1202.2, contain the Definitions and General Provisions and Article 6, Sections 1229 through 1235 contain the Carrier Requirements.

This rulemaking action adopts Motor Carrier Safety Regulations by reference. This rulemaking action will enhance the competitiveness of California by eliminating or modifying, to the extent possible, regulations that represent a negative impact on businesses by conflicting with updated federal regulations. Also, this rulemaking will allow the CHP to remain consistent with regulations adopted by the United States Department of Transportation. Current state regulation incorporates by reference obsolete publishing dates for 49 CFR. This amendment will incorporate 49 CFR as published on October 1, 2006, to replace all publication dates as they currently exist in this section. This will allow California carriers to discard their 1997 editions of the federal regulations, retaining only their 2006 editions.

PUBLIC COMMENTS

Any person may submit written comments on the proposed action via facsimile at (916) 446-4579 or by writing to:

California Highway Patrol
Commercial Vehicle Section—062
ATTN.: Gary Ritz
PO Box 942898
Sacramento, CA 94298-0001

Written comments will be accepted until 5:00 P.M., August 20, 2007.

No public hearing has been scheduled. If any person desires a public hearing, a written request must be received by the CHP, Commercial Vehicle Section (CVS), no later than 15 days prior to the close of the written comment period.

AVAILABILITY OF INFORMATION

The CHP has available for public review an initial statement of reasons for the proposed regulatory action, the information upon which this action is based (the rulemaking file), and the proposed regulation text. Re-

quests to review or receive copies of this information should be directed to the CHP at the above address, by facsimile at (916) 446-4579 or by calling the CHP, CVS, at (916) 445-1865. Facsimile requests for information should include the following information: the title of the rulemaking package, the requester's name, proper mailing address (including city, state and zip code), and a daytime telephone number in case the information is incomplete or illegible.

The rulemaking file is available for inspection at the CHP, CVS, 444 North Third Street, Sacramento. Interested parties are advised to call for an appointment.

All documents regarding the proposed action are also available through our website at www.chp.ca.gov/regulations.

Any person desiring to obtain a copy of the adopted text and a final statement of reasons may request them at the above noted address. Copies will also be posted on our website.

CONTACT PERSON

Any inquiries concerning the written materials pertaining to the proposed regulations should be directed to Mr. Gary Ritz or Mr. Gregg Bragg, CHP, CVS, at (916) 445-1865. Inquiries regarding the substance of the proposed regulations should also be directed to Mr. Gary Ritz.

ADOPTION OF PROPOSED REGULATIONS

After consideration of public comments, the CHP may adopt the proposal substantially as set forth without further notice. If the proposal is modified prior to adoption and the change is not solely grammatical or nonsubstantive in nature, the full text of the resulting regulation, with the changes clearly indicated, will be made available to the public for at least 15 days prior to the date of adoption.

FISCAL AND ECONOMIC IMPACT

The CHP has made an initial determination that this proposed regulatory action: (1) will have no effect on housing costs; (2) will not impose any new mandate upon local agencies or school districts; (3) involves no nondiscretionary or reimbursable costs or savings to any local agency, school district, or state agency, or federal funding to the state; (4) will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California; and (5) will not have a significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in

other states. The regulated community is encouraged to respond during the comment period of this regulatory process if significant impacts are identified.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The CHP is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON SMALL BUSINESSES

The CHP has determined that the proposed regulation will not affect small business as the proposed amendments are either already required by federal regulation or editorial in nature, and without regulatory effect. However, the regulated community is encouraged to respond during the public comment period of this regulatory process if significant impacts are identified.

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the CHP must determine that no reasonable alternative considered by the CHP, or that has otherwise been identified and brought to the attention of the CHP, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action. The CHP invites interested parties to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

AUTHORITY

This regulatory action is being taken pursuant to Vehicle Code Sections 2402 and 34501.

REFERENCE

This action implements, interprets, or makes specific Vehicle Code Sections 2402 and 34501.

TITLE 17. CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC COMMENT PERIOD ON PROPOSED AMENDMENTS TO THE LIST OF EQUIPMENT DEFECTS THAT SUBSTANTIALLY IMPAIR THE EFFECTIVENESS OF GASOLINE VAPOR RECOVERY SYSTEMS

The Executive Officer of the Air Resources Board (ARB or Board) is proposing to amend the list of equipment defects that substantially impair the effectiveness of gasoline vapor recovery systems used in motor vehicle refueling operations. Health and Safety Code (HSC) section 41960.2(c) requires the Executive Officer to adopt and periodically update the list of defects, which is incorporated by reference in section 94006, title 17, California Code of Regulations (CCR), and is otherwise known as the Vapor Recovery Equipment Defects (VRED) List. Such defects are sufficiently egregious to warrant the removal of the fueling point from service until the defect is repaired.

Written comments on the proposed regulatory amendments must be received by August 21, 2007 in order to be considered by the Executive Officer. No oral public hearing is currently scheduled but you may by August 6, 2007 request the Executive Officer to conduct a public hearing. If an oral public hearing is requested by that date, it will be scheduled to be conducted by the Executive Officer or her delegate pursuant to the authority set forth in sections 39515 and 39516 of the HSC. Notice of the time, date, and place of the hearing will be provided by separate notice.

INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT OVERVIEW

Sections Affected: Proposed amendment to section 94006(b), title 17, CCR and the VRED List (adopted September 23, 2002 and last amended June 22, 2005) that is incorporated by reference therein. Staff is recommending that the Executive Officer approve the proposed amendments to the VRED List as described herein.

Background: In accordance with section 41954 of the HSC, ARB certifies systems for the control of gasoline vapors resulting from motor vehicle fueling operations. The certification is accomplished by the issuance of an Executive Order (EO) identifying the system that is certified and the conditions of certification. The sale or installation of an uncertified system is prohibited.

Section 41960.2(c) of the HSC requires the Executive Officer of ARB to: 1) identify and list equipment

defects in systems for the control of gasoline vapors resulting from motor vehicle fueling operations that substantially impair the effectiveness of the systems in reducing air contaminants, and 2) periodically update the list to reflect changes in equipment technology or performance. The initial list of defects was developed in 1982 and then most recently updated in 2005. The current VRED List identifies each outstanding Executive Order certifying a system and lists the defects in each system that substantially impair the effectiveness of the system.

The Executive Officer is proposing amendments to the VRED List in order to improve the effectiveness of the vapor recovery program by enhancing the ability of enforcement personnel and gasoline dispensing facility (GDF) operators to identify and repair those defects that could significantly impact the effectiveness of the vapor recovery system. Inspectors from local and regional air pollution control districts and air quality management districts periodically inspect GDFs to ensure they are in good working order. When a component on VRED List is documented by an inspector to contain a listed defect, HSC section 41960.2(d) requires that the equipment be removed from service until it has been replaced, repaired, or adjusted and reinspected by air pollution control district personnel.

The proposed amendments would update the current VRED List in one of three ways: (1) removal of tables for EOs pertaining to equipment that is no longer valid for use in California, (2) changing the way EOs for aboveground storage tank systems are identified, and (3) inclusion of defects in equipment or systems that have been certified in EOs signed since the last amendment to the existing VRED List. Staff of ARB believes that amending the current VRED List will enhance the ability of anyone using it to identify, and repair or replace, those defects that could significantly affect the effectiveness of gasoline vapor recovery systems.

AVAILABILITY OF DOCUMENTS AND AGENCY CONTACT PERSONS

Staff of ARB has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed action, which includes a detailed explanation of the proposed amendments and a summary of the potential environmental and economic impacts of the proposal. The report is titled "Staff Report: Initial Statement of Reasons for Amendments to the List of Equipment Defects that Substantially Impair the Effectiveness of Gasoline Vapor Recovery Systems."

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strike-out format to allow for comparison with the existing regulations, may be obtained from ARB's Public Information Of-

fice, Visitors and Environmental Services Center, 1001 I Street, First Floor, Sacramento, California 95814, (916) 322-2990.

Upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact persons identified in this notice, or may be accessed on the ARB's web site listed below.

Inquiries concerning the substance of the proposed amendments should be directed to Ranjit Bhullar, Manager, Vapor Recovery In-Use Program Section, Stationary Source Testing Branch, Monitoring and Laboratory Division, at (916) 322-0223 or R. Neil Nipper, Air Resources Engineer, Vapor Recovery In-Use Program Section, Stationary Source Testing Branch, Monitoring and Laboratory Division, at (916) 445-9391.

Further, the agency representative and designated back-up contact persons to whom nonsubstantive inquiries concerning the proposed administrative action may be directed are Alexa Malik, Manager, Board Administration & Regulatory Coordination Unit, (916) 322-4011, or Amy Whiting, Regulations Coordinator, (916) 322-6533. The Board has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on the ARB Internet site for this rulemaking at www.arb.ca.gov/regact/2007vrdef07/vrdef07.htm

COSTS TO PUBLIC AGENCIES AND TO BUSINESSES AND PERSONS AFFECTED

The determinations of the Board's Executive Officer concerning the costs or savings necessarily incurred in reasonable compliance with the proposed regulations are presented below.

Pursuant to Government Code sections 11346.5(a)(5) and 11346.5(a)(6), the Executive Officer has determined that the proposed regulatory action would not create costs or savings to any state agency or in federal funding to the state, costs or mandate to any local agency or school district whether or not reimbursable by the state pursuant to part 7 (commencing with section 17500), division 4, title 2 of the Government Code, or other nondiscretionary cost or savings to state or local agencies.

In developing this regulatory proposal, the ARB staff evaluated the potential economic impacts on representative private persons or businesses. The ARB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. This deter-

mination is based on the fact that the proposed regulatory action establishes no new requirements, but rather clarifies existing defects. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the ISOR.

The Executive Officer has made an initial determination that the proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

In accordance with Government Code section 11346.3, the Executive Officer has determined that the proposed regulatory action would not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the ISOR.

The Executive Officer has determined pursuant to section 4, title 1, CCR, that the adoption of the proposed regulatory action does affect small business. It makes compliance with existing regulations easier by clarifying the requirements.

The Executive Officer is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action, since avoidance or repair of the listed defects is already required.

Before taking final action on the proposed regulatory action, the Executive Officer must determine that no reasonable alternative considered by the Executive Officer, or otherwise identified and brought to the attention of the Executive Officer would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. The Executive Officer has determined no effective or less burdensome reasonable alternative exists.

SUBMITTAL OF COMMENTS

This regulatory proceeding will be conducted through the submittal of written documents. No oral public hearing is scheduled.

Written comments on this regulatory proposal must be received **no later than 5:00 p.m., August 21, 2007**, and addressed to the following:

Postal mail: Clerk of the Board, Air
Resources Board
1001 I Street, Sacramento,
California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Facsimile submittal: (916) 322-3928

Material received after 5:00 p.m., August 21, 2007 will not be considered.

As stated above, no oral public hearing scheduled at this time. However, an oral public hearing will be scheduled if any interested person or his or her duly authorized representative requests such a hearing no later than 15 days prior to the close of the written comment period (i.e. by August 6, 2007). The request for a hearing may be submitted in the same manner as written comments.

Please note that under the California Public Records Act (Government Code section 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request. Additionally, this information may become available via Google, Yahoo, and any other internet search engines.

STATUTORY AUTHORITY

This regulatory action is proposed in accordance with the authority granted to ARB and the Executive Officer in sections 39600, 39601, and 41960.2(b) of the HSC. This action is proposed to implement, interpret, and make specific sections 41954 and 41960.2 of the HSC.

REGULATORY AMENDMENT PROCEDURES

This regulatory proceeding will be conducted in accordance with the California Administrative Procedure Act, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340) of the Government Code.

Following the close of the comment period, the Executive Officer may adopt the regulatory language as originally proposed or with non-substantial or grammatical modifications. The Executive Officer may also adopt the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice that the regulatory language as modified could result from the proposed regulatory action. In the event that such modifications are made, the full regulatory text, with the modifications clearly indicated, will be made available to the public for additional written comment at least 15 days before it is adopted. The public may request a copy of the modified regulatory text, if applicable, from ARB's Public Information Office, Visitor and Environmental Services Center, 1001 I Street, First Floor, Sacramento, California 95814, (916) 322-2990.

GENERAL PUBLIC INTEREST

**TITLE 2. DEPARTMENT OF FAIR
EMPLOYMENT AND HOUSING**

NOTICE IS HEREBY GIVEN that the prospective contractors listed below have been required to submit a Nondiscrimination Program (NDP) or a California Employer Identification Report (CEIR) to the Department of Fair Employment and Housing, in accordance with the provisions of Government Code Section 12990. No such program or CEIR has been submitted and the prospective contractors are ineligible to enter into State contracts. The prospective contractor's signature on Standard Form 17A, 17B, or 19, therefore, does not constitute a valid self-certification. Until further notice, each of these prospective contractors in order to submit a responsive bid must present evidence that its Nondiscrimination Program has been certified by the Department.

ASIX Communications, Inc.
DBA ASI Telesystems, Inc.
21150 Califa Street
Woodland Hills, CA 91367

Bay Recycling
800 77th Avenue
Oakland, CA 94621

C & C Disposal Service
P.O. Box 234
Rocklin, CA 95677

Choi Engineering Corp.
286 Greenhouse Marketplace, Suite 329
San Leandro, CA 94579

Fries Landscaping
25421 Clough
Escalon, CA 95320

Marinda Moving, Inc.
8010 Betty Lou Drive
Sacramento, CA 95828

MI-LOR Corporation
P.O. Box 60
Leominster, MA 01453

Peoples Ridesharing
323 Fremont Street
San Francisco, CA 94105

San Diego Physicians & Surgeons Hospital
446 26th Street
San Diego, CA

Southern CA Chemicals
8851 Dice Road
Santa Fe Springs, CA 90670

Tanemura and Antle Co.
1400 Schilling Place
Salinas, CA 93912

Turtle Building Maintenance Co.
8132 Darien Circle
Sacramento, CA 95828

Univ Research Foundation
8422 La Jolla Shore Dr.
La Jolla, CA 92037

Vandergoot Equipment Co.
P.O. Box 925
Middletown, CA 95461

DECISION NOT TO PROCEED

DEPARTMENT OF INSURANCE

STATE OF CALIFORNIA
DEPARTMENT OF INSURANCE
300 Capitol Mall, 17th Floor
Sacramento, California 95814

NOTICE OF DECISION NOT TO PROCEED

**LIFE AND ANNUITY CONSUMER
PROTECTION PROGRAM**

DATE: June 26, 2007 OAL File No. 06-1130-01 S

Pursuant to Government Code Section 11347, the California Department of Insurance decided not to proceed with Title 10, Life and Annuity Consumer Protection Program, Chapter 5, Subchapter 9, Article 1, Sections 2698.23 through 2698.27, (Notice File No. Z-06-0801-02, published August 11, 2006, in the California Notice Register 2006, No. 32-Z, page 1106), based on comments received and therefore, withdraws this proposed action for further consideration. The Commissioner may initiate at a later date, with notice as required by law, a new proposal to adopt regulations pertaining to the same or similar subject matter.

AUTOMATIC MAILING

A copy of this notice will automatically be sent to all persons on the Commissioner's mailing list.

WEBSITE POSTINGS

Documents concerning this proceeding are available on the Department's website at: <http://www.insurance>.

ca.gov. Find, under the Department of Insurance banner, the red stripe. Click on "Insurers". Select the "Legal Information" link. On the "Legal Information" page, click on the "Proposed Regulations" link. When the "Search or Browse for Documents for Proposed Regulations" screen appears, you may choose to find the documents either by conducting a search or by browsing for them by name.

- To search, enter "RH05045983" (the Department's regulation file number for these regulations) in the search field. Alternatively, search using as your search term the California Insurance Code section number that the regulations implement (in this case, "10127.17") or search by keyword ("life", "annuity", "consumer protection" for example). Then, click on the "Submit" button to display links to the various filing documents.
- To browse, click on the "Browse All Regulations" button near the bottom of the screen. A list of the names of regulations for which documents are posted will appear. Find in the list the "Life and Annuity Consumer Protection Program Regulations" link, and click it. Links to the documents associated with these regulations will then be displayed.

CONTACT PERSONS

Please contact the following person with any questions regarding this action:

Elena Fishman, Senior Staff Counsel
California Department of Insurance
300 Capitol Mall, 17th Floor, Sacramento, CA 95814
Telephone: (916) 492-3507
fishmane@insurance.ca.gov

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

AIR RESOURCES BOARD Area Designation

This regulatory action revises and updates the area designations for the following pollutants: ozone, carbon monoxide, suspended particulate matter (PM10) and fine particulate matter (PM2.5). The California Clean Air Act, in Health & Safety Code section 39607(e), requires the Board to establish designation criteria which provide the basis for designating areas in California as "attainment," "nonattainment," "nonattainment-transitional," or "unclassified" with respect to the State standards.

Title 17
California Code of Regulations
AMEND: 60201, 60202, 60205, 60210
Filed 06/26/07
Effective 07/26/07
Agency Contact: Alexa Malik (916) 322-4011

BUREAU OF AUTOMOTIVE REPAIR Public Information Disclosure Policy

The action replaces the current public information disclosure policy with a new one more closely aligned with the model prepared by the Department of Consumer Affairs, and includes an updating to eliminate mention of a type of enforcement action no longer used and a daily limit on requests which is no longer needed.

Title 16
California Code of Regulations
AMEND: 3303.1
Filed 06/20/07
Effective 07/20/07
Agency Contact: James Allen (916) 255-4300

DEPARTMENT OF CONSERVATION Quality Incentive Payment Emergency Regulations

This emergency regulatory action establishes the procedure for registered curbside recycling programs or collection programs applying for quality incentive payments. The "Quality Incentive Payment Program" ("QIP") replaces the "Quality Glass Incentive Payment Program" ("QGIP") and now includes plastic and aluminum beverage container materials. These regulations also establish the quality standards the entities must meet to receive the QIP Program payments.

Title 14
California Code of Regulations
ADOPT: 2850 AMEND: 2090, 2425, 2530 REPEAL: 2850
Filed 06/21/07
Effective 06/21/07
Agency Contact: Eloisa Hernandez (916) 327-2757

**DEPARTMENT OF CORRECTIONS AND
REHABILITATION****Use of Force**

Prior to the underlying emergency filing, section 4040, Article 3, Title 15 of the California Code of Regulations (CCR) pertained to the use of restraining devices on wards for security purposes in parole and institutional operations. Subsection (b) stated that only reasonable and necessary force shall be used but did not define what is meant by “reasonable” or “necessary”. This filing is a certificate of compliance for emergency regulations which were intended to specify and identify the circumstances as well as the amount of force that an objective, trained, and competent Correctional Peace Officer, faced with similar facts and circumstances, would consider necessary and reasonable, as prescribed by the Commission on Peace Officer Standards and Training, to subdue an attacker, overcome resistance, effect custody, or gain compliance with a lawful order. The regulations were also intended to establish supervision, monitoring, and evaluation of force deployment.

Title 15

California Code of Regulations

ADOPT: 4034.0, 4034.1, 4034.2, 4034.3, 4034.4,
4036 REPEAL: 4040

Filed 06/26/07

Effective 07/26/07

Agency Contact: Sonja Dame (916) 263-3178

**DEPARTMENT OF DEVELOPMENTAL SERVICES
Education Requirements for Behavior Management
Consultants**

This action amends the existing regulatory deadline for behavior management consultants to complete the required 12 semester units in applied behavior analysis.

Title 17

California Code of Regulations

AMEND: 54342

Filed 06/27/07

Effective 07/27/07

Agency Contact: Diana Nicolaou (916) 654-1760

**DEPARTMENT OF FOOD AND AGRICULTURE
Light Brown Apple Moth Interior Quarantine**

These proposed emergency amendments will establish additional quarantine areas with respect to the light brown apple moth (LBAM; *Epiphyas postvittana*) in the Fremont area of Alameda County, the Boony Donn and Scott's Valley areas of Santa Cruz County, and the Mt. Madonna area of Monterey. (Total proposed land mass area to be under quarantine is now approx. 784 sq.

mi.) It also designates all fruits and vegetables as hosts and possible carriers in the quarantined areas.

On June 5, 2007, an adult male LBAM was found outside the current regulated area of Fremont. On May 25, 2007, an adult male was found in Boony Doon (two more on June 5th). On June 8th, one was found outside the regulated area of Monterey County. On June 12, 2007, the Dept. reviewed its list of LBAM interceptions from nursery stock within the regulated area and detected larvae on 22 new genera in California. A federal order has now been issued (May 2, 2007) which regulates interstate movement of all fruits and vegetables. Therefore, the DFA is amending section 3434 to include all harvested fruits and vegetables in the quarantined areas.

Title 3

California Code of Regulations

AMEND: 3434(b), 3434(c)

Filed 06/21/07

Effective 06/21/07

Agency Contact: Stephen Brown (916) 654-1017

**DEPARTMENT OF SOCIAL SERVICES
CalWORKS Domestic Rights and Responsibilities**

The Dept. of Social Services is revising their regulations to comply with Assembly Bill 205 (Chapter 421, Statutes of 2003) and Family Code section 297.5 which provides that California registered domestic partners shall have the same rights and responsibilities as those provided to spouses. This section deals with California Work Opportunity and Responsibility to Kids (CalWORKS) and the amendments add California domestic partners to references of spouses and stepparents.

Title MPP

California Code of Regulations

AMEND: 40-118, 43-103, 44-209, 80-301,
82-808

Filed 06/26/07

Effective 07/26/07

Agency Contact: Shirley Trice (916) 657-2586

**DEPARTMENT OF SOCIAL SERVICES
Implementation of AB 72**

This action amends Department of Social Services's Manual of Policies and Procedures (MPP) sections for Stage One of the California Work Opportunity and Responsibility to Kids (CalWORKS) child care program to implement notification requirements that county welfare departments must follow, pursuant to AB 72 (2004), when they receive notification that a CalWORKS child care provider's license has been placed on a temporary suspension order (TSO) or revoked, or that a CalWORKS child care provider has been placed on probation.

Title MPP
 California Code of Regulations
 AMEND: 47–110 and 47–301
 Filed 06/25/07
 Effective 07/25/07
 Agency Contact: Shirley Trice (916) 657–2586

FISH AND GAME COMMISSION

Klamath River Sport Fishing Regulations

Fish and Game Commission proposed amendment to Title 14, California Code of Regulations, section 7.50(b)(91.1) to amend and clarify provisions for Klamath River Fall Chinook (KRFC) salmon for the 2007 sport fishing season. Amendments are based on a 2007 quota of 10,600 Chinook salmon for the Klamath River System, which includes the Klamath and Trinity rivers and tributaries. Proposed amendments increase the bag and possession limits for KRFC salmon in the sub-areas of the Klamath River System, increase the bag and possession limits for brown trout bag, and make non-substantive revisions for clarity. This action incorporates amendments made to section 7.50(b)(91.1) adopted as an emergency on 3–21–07, serves as the certification of compliance for the emergency action, and becomes effective upon filing with the Secretary of State.

Title 14
 California Code of Regulations
 AMEND: 7.50(b) (91.1)
 Filed 06/21/07
 Effective 06/21/07
 Agency Contact: Sherrie Koell (916) 653–4899

FRANCHISE TAX BOARD

Taxation of Mutual Fund Service Providers

This regulatory action adopts a shareholder location sales approach with a throwback provision using Finne-gan methodology for mutual fund service providers.

Title 18
 California Code of Regulations
 ADOPT: 25137–14
 Filed 06/20/07
 Effective 07/20/07
 Agency Contact: Colleen Berwick (916) 845–3306

**SPEECH–LANGUAGE PATHOLOGY AND
 AUDIOLOGY BOARD**

SLPA/BA Degree Applicants—Field Work Equiv.

The regulatory action deals with qualifications for registration as a Speech–Language Pathology Assistant.

Title 16
 California Code of Regulations
 AMEND: 1399.170.11
 Filed 06/22/07
 Effective 07/22/07
 Agency Contact:
 Annemarie Del Mugnaio (916) 263–2666

STATE ALLOCATION BOARD

**Leroy F. Greene School Facilities Act of 1998 — Re-
 payment Schedules**

In this Certificate of Compliance rulemaking action relating to the Leroy F. Greene School Facilities Act of 1998, the State Allocation Board implements Education Code section 17076.10(c) by providing for repayment schedules of up to five years for school districts and other educational entities under the Act which have been audited and owe repayment of State funds and which are in severe financial hardship situations.

Title 2
 California Code of Regulations
 ADOPT: 1859.106.1 AMEND: 1859.106
 Filed 06/20/07
 Effective 06/20/07
 Agency Contact: Robert Young (916) 445–0083

STATE MINING AND GEOLOGY BOARD

Administrative Fees

This amendment to Title 14 section 3696.5 changes the fee to be charged by the State Mining and Geology Board (“SMGB”) when the SMGB acts as the “lead agency” in implementing the Surface Mining and Reclamation Act (“SMARA”). The fee is being changed from seven dollars to fourteen dollars.

Title 14
 California Code of Regulations
 AMEND: 3696.5
 Filed 06/20/07
 Effective 07/20/07
 Agency Contact: Stephen Testa (916) 322–1082

STATE WATER RESOURCES CONTROL BOARD

Amendment to the WQCP for the Bay–Delta

This action updates the San Francisco Bay/Sacramento–San Joaquin Delta Estuary Water Quality Control Plan.

Title 23
 California Code of Regulations
 ADOPT: 3002
 Filed 06/27/07
 Effective 06/27/07
 Agency Contact: Gita Kapahi (916) 341–5289

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN JANUARY 24, 2007 TO
JUNE 27, 2007**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 2

06/20/07 ADOPT: 1859.106.1 AMEND: 1859.106
06/15/07 AMEND: div. 8, ch. 111, sec. 59560
06/13/07 ADOPT: 20108, 20108.1, 20108.12,
20108.15, 20108.18, 20108.20,
20108.25, 20108.30, 20108.35,
20108.36, 20108.38, 20108.40,
20108.45, 20108.50, 20108.51,
20108.55, 20108.60, 20108.65,
20108.70, 20108.71, 20108.75, 20108.80
REPEAL: 20108.37
05/23/07 ADOPT: 20108, 20108.1, 20108.12,
20108.15, 20108.18, 20108.20,
20108.25, 20108.30, 20108.35,
20108.36, 20108.38, 20108.40,
20108.45, 20108.50, 20108.51,
20108.55, 20108.60, 20108.65,
20108.70, 20108.71, 20108.75, 20108.80
05/21/07 AMEND: 18402
05/17/07 ADOPT: 1859.70.4, 1859.71.6,
1859.77.4, 1859.162.1, 1859.162.2,
1859.162.3, 1859.163.4, 1859.163.5,
1859.163.6, 1859.163.7, 1859.169.1
AMEND: 1859.2, 1859.51, 1859.60,
1859.61, 1859.70.3, 1859.71, 1859.78.9,
1859.83, 1859.93.2, 1859.160, 1859.161,
1859.162, 1859.163.1, 1859.163.2,
1859.163.3, 1859.164, 1859.164.1,
1859.164.2, 1859.165, 1859.166,
1859.167, 1859.167.1, 1866.4, 1866.13
REPEAL: 1859.162.1
05/17/07 AMEND: 52900
05/14/07 AMEND: 599.664
05/08/07 AMEND: div. 8, ch. 48, sec. 53700
05/08/07 ADOPT: 1185.2, 1185.3, 1185.4
AMEND: 1185, 1185.01, 1185.02,
1185.03, 1185.1

04/30/07 AMEND: 1859.124.1
04/25/07 AMEND: 1859.83, 1859.202, 1866
04/16/07 AMEND: 18401
04/04/07 AMEND: 28010 REPEAL: 36000
03/27/07 AMEND: 59560
03/20/07 ADOPT: 18746.3
03/15/07 AMEND: div. 8, ch. 102, section 59100
03/14/07 AMEND: div. 8, ch. 73, section 56200
03/01/07 AMEND: 21922
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06/05/07 AMEND: 3591.20(a)
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